

BEFORE THE PERSONNEL APPEALS BOARD

STATE OF WASHINGTON

EDDIE GRIFFIN and MATT KJELSTAD, et al.,)

Appellants,)

v.)

DEPARTMENT OF SOCIAL AND HEALTH)
SERVICES,)

Respondent.)

Case Nos. ALLO-99-0018 & ALLO-99-0017

ORDER OF THE BOARD FOLLOWING
HEARING ON EXCEPTIONS TO THE
DETERMINATIONS OF THE DIRECTOR

Hearing on Exceptions. Pursuant to RCW 41.64.060 and WAC 358-01-040, these matter came on for a consolidated hearing before the Personnel Appeals Board, LEANA D. LAMB, Member, on Appellants' exceptions to the Director's determinations dated May 14, 1999. The hearing was held on February 22, 2000, in the Personnel Appeals Board hearing room in Olympia, Washington. GERALD L. MORGEN, Vice Chair, reviewed the record, including the file, exhibits, and the entire taped proceedings, and participated in the decision in this matter. WALTER T. HUBBARD, Chair, did not participate in the hearing or in the decision in this matter.

Appearances. Appellants Rick Long and Matt Kjelstad were present and were represented by Laura Saint, Area Representative for the Washington Federation of State Employees (WFSE). Appellant Eddie Griffin was not present but was also represented by Ms. Saint. Respondent Department of Social and Health Services (DSHS) was represented by Jesse Powell, Classification and Compensation Manager.

Background. Appellants Long, Kjelstad and Griffin requested reviews of their Recreation Specialist 2 (RS 2) positions by submitting classification questionnaires (CQs) to Respondent's

1 personnel office. Appellant's requested that their positions be reallocated to the Recreation
2 Therapist (RT) classification. On January 22, 1998, Respondent denied their requests. Appellants
3 appealed to the Department of Personnel. The Director's determinations were issued on May 14,
4 1999. The Director concluded that Appellants' positions were properly allocated. On June 2, 1999,
5 Appellants filed exceptions to the Director's determinations with the Personnel Appeals Board.
6 Appellants' exceptions are the subject of this proceeding.

7
8 In summary, Appellants take exception to the allocation of their positions to the RS 2 classification
9 because others performing the same duties and responsibilities are allocated to the RT
10 classification.

11
12 Appellants work within the Program for Adaptive Living Skills (PALS) for the Adult Residential
13 Rehab Facility at Western State Hospital (WSH). Appellants work independently and do not lead
14 or supervise other employees.

15
16 **Summary of Appellants' Argument.** Appellants argue that they were harmed through the
17 allocating process as a result of Respondent's delay in implementing a class study completed on
18 January 13, 1995. Appellants allege that Respondent delayed implementation of the class study for
19 three years and then did not reallocate Appellants' positions to the RT classification as originally
20 anticipated during the class study. Appellants contend that Respondent treated them differently
21 than other staff who were performing identical duties and responsibilities to those performed by
22 Appellants and whose positions were reallocated to the RT classification.

23
24 **Summary of Respondent's Argument.** Respondent contends that at the time of the class study,
25 the duties and responsibilities assigned to Appellants' positions in PALS were best described by the
26 RS 2 classification. Respondent contends that PALS is a separate institution located on the WSH

1 grounds and that there is a difference in the work performed in PALS in comparison to the work
2 performed in WSH. Respondent argues that the RS 2s in PALS provide structured activities for
3 leisure time entertainment. Respondent asserts that they do not assess, plan, develop, implement, or
4 modify therapeutic recreation services as referred by a physician. Respondent further asserts that
5 Appellants do not sign off on the individual treatment plans for PALS. Therefore, based on the
6 description of Appellants' positions as contained in their CQs and described by their supervisor,
7 Respondent contends that Appellants' positions are properly allocated the RS 2 classification.

8
9 **Primary Issue.** Whether the Director's determination that Appellants' positions are properly
10 allocated to the RS 2 classification should be affirmed.

11
12 **Relevant Classifications.** Recreation Specialist 2, class code 36810, and Recreation Therapist,
13 class code 36815.

14
15 **Decision of the Board.** The purpose of a position review is to determine which classification best
16 describes the overall duties and responsibilities of a position. A position review is neither a
17 measurement of the volume of work performed nor an evaluation of the expertise with which that
18 work is performed. Also, a position review is not a comparison of work performed by employees in
19 similar positions. A position review is a comparison of the duties and responsibilities of a particular
20 position to the available classification specifications. This review results in a determination of the
21 class which best describes the overall duties and responsibilities of the position. Liddle-Stamper v.
22 Washington State University, PAB Case No. 3722-A2 (1994).

23
24 While a comparison of one position to another similar position may be useful in gaining a better
25 understanding of the duties performed by and the level of responsibility assigned to an incumbent,
26 allocation of a position must be based on the overall duties and responsibilities assigned to an

1 individual position compared to the existing classifications. The allocation or misallocation of a
2 similar position is not a determining factor in the appropriate allocation of a position. Flahaut v.
3 Dept's of Personnel and Labor and Industries, PAB No. ALLO 96-0009 (1996).

4
5 The Recreation Therapist classification encompasses positions that serve as members of
6 interdisciplinary treatment teams and that assess patients and plan, develop, implement and modify
7 recreation services, as referred by a physician, as part of a patient's treatment plan. Appellants did
8 not provide any examples or evidence of physician referrals for the recreation activities they
9 provide. Furthermore, the goal of the PALS recreation program is to provide therapeutic recreation
10 and leisure opportunities designed to increase social interaction skills. In accomplishing this goal,
11 Appellants provide structured activities for entertainment purposes. While these activities are an
12 integral part of the program offered at PALS, these activities do not encompass the depth or breadth
13 of interdisciplinary therapeutic activities anticipated by the RT classification.

14
15 In relevant part, the Recreation Specialist 2 classification encompasses positions that develop
16 scheduled therapeutic recreation activities for groups and/or individuals. Appellant's duties and
17 responsibilities for providing leisure activities for the PALS program are encompassed by the RS 2
18 classification.

19
20 Appellants have raised several concerns about events that occurred after the January 13, 1995,
21 adoption of the class study results. It is unfortunate that expectations were raised and issues were
22 discussed at labor/management meetings that led Appellants to believe that they would be
23 reallocated to the RT classification. However, these issues are not determinative of the proper
24 allocation of Appellants' positions and therefore are not properly before the Board. As stated
25 above, an allocation determination is based on a review of the overall duties and responsibilities
26 assigned to an individual position in comparison to the existing classifications. Based on the

1 evidence in the record, we find that Appellants' positions are properly allocated to the Recreation
2 Specialist 2 classification.

3
4 **Conclusion.** The appeals on exceptions by Appellants should be denied and the Director's
5 determinations dated May 14, 1999, should be affirmed and adopted.

6
7 **ORDER**

8 NOW, THEREFORE, IT IS HEREBY ORDERED that the appeals on exceptions by Appellants are
9 denied and the Director's determinations dated May 14, 1999, are affirmed and adopted. Copies are
10 attached.

11 DATED this _____ day of _____, 2000.

12 WASHINGTON STATE PERSONNEL APPEALS BOARD

13
14
15 _____
Gerald L. Morgen, Vice Chair

16
17 _____
Leana D. Lamb, Member